

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KING DRUG COMPANY OF FLORENCE, INC., <u>et al.</u> ,  Plaintiffs,  v.  CEPHALON, INC., <u>et al.</u> , Defendants.	:	CIVIL ACTION    No. 2:06-cv-1797
VISTA HEALTHPLAN, INC., <u>et al.</u> , Plaintiffs,  v.  CEPHALON, INC., <u>et al.</u> , Defendants.	:	CIVIL ACTION    No. 2:06-cv-1833
APOTEX, INC., Plaintiff,  v.  CEPHALON, INC., <u>et al.</u> , Defendants.	:	CIVIL ACTION    No. 2:06-cv-2768
FEDERAL TRADE COMMISSION, Plaintiff,  v.  CEPHALON, INC., Defendant.	:	CIVIL ACTION    No. 2:08-cv-2141

**ORDER**

**AND NOW**, this 13<sup>th</sup> day of March, 2014, upon consideration of the Direct Purchaser Class Plaintiffs' Motion for Partial Summary Judgment on the Patent Issues (06-1797, doc. no. 518), the End Payor Class Plaintiffs' Motion for Partial Summary Judgment (06-1833, doc. no. 233), and Apotex's Motion for Partial Summary Judgment as to Antitrust Liability and Monopoly Power (06-2768, doc. no. 601), Cephalon and the Generic Defendants' responses thereto, and the replies, and for the reasons detailed in the accompanying Memorandum Opinion, it is hereby **ORDERED** that:

- The Direct Purchasers' motion is **GRANTED IN PART**, as outlined in the opinion.
- The End Payors' motion is **GRANTED IN PART**, as outlined in the opinion.
- Apotex's motion is **GRANTED IN PART**, as outlined in the opinion. The monopoly power portion of Apotex's motion will be resolved separately.

**BY THE COURT:**

**/s/ Mitchell S. Goldberg**

---

**Mitchell S. Goldberg, J.**